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5 Attorney for Defendant  
**MICHAEL KIRK CAREY**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13  
14 vs.  
15 MICHAEL KIRK CAREY, et al.,  
16 Defendants.

CR. S-03-0097 FCD

**STIPULATION AND ORDER  
CONTINUING STATUS  
CONFERENCE RE: DEFENDANT  
MICHAEL CAREY ONLY**

17 IT IS HEREBY STIPULATED between the United States of America, through its attorney  
18 of record, Anne Pings, Assistant U.S. Attorney, and MICHAEL KIRK CAREY, through his  
19 counsel, David W. Dratman, that the status conference scheduled for September 19, 2005 be  
20 continued to October 3, 2005 at 9:30 a.m. for defendant CAREY only. (The other defendants are  
21 proceeding on separate schedules.)

22 This matter continues to be complex within the meaning of the Speedy Trial Act due to the  
23 volume of discovery, complexity of factual and legal issues and the need for defense counsel to  
24 have additional time to prepare. The parties stipulate that the ends of justice are met by excluding  
25 time until October 3, 2005; and, that the need of this defendant for additional time to prepare  
26 exceeds the public interest in a trial within 70 days.

27 Accordingly, the time between for September 19, 2005 and October 3, 2005 should be  
28 excluded from the calculation of time pursuant to the Speedy Trial Act, due to complexity and the

1 needs of counsel to prepare, pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) and (iv)[Local Codes T2  
2 and T4].

3 Dated: September 16, 2005

/s/ David W. Dratman  
DAVID W. DRATMAN  
Attorney for Defendant  
MICHAEL KIRK CAREY

7 Dated: September 16, 2005

McGREGOR W. SCOTT  
UNITED STATES ATTORNEY

10 By: /s/ Anne Pings\*  
11 ANNE PINGS  
12 Assistant U.S. Attorney  
\*Signed with permission

13 **ORDER**

14 IT IS SO ORDERED.

15 Dated: September 16, 2005

17 /s/ Frank C. Damrell Jr.  
18 FRANK C. DAMRELL JR.  
19 United States District Court Judge